

SITHABILE TECHNOLOGY SERVICES PTY LTD

(Registration Number: 2004/009201/07)

PAIA MANUAL

in terms of Section 51 of The Promotion of Access to Information Act, 2000

Updated June 2021

TABLE OF CONTENTS

Part	Title	Page
1	INTRODUCTION TO THE ACT AND THIS MANUAL	3
2	COMPANY INFORMATION	3
3	APPLICABLE LEGISLATION	4
4	SCHEDULE OF RECORDS	4
5	FORM OF REQUEST	6
6	PRESCRIBED FEES	6

1. INTRODUCTION TO THE ACT AND THIS MANUAL

Sithabile Technology Services Pty Ltd (“STS” or “us”) is a private South African black-empowered company that provides data backup, storage solutions, and other related IT support services. “You” means the person reading or intending to use this document.

This Promotion of Access to Information Manual (“Manual”) provides an outline of the type of records and the personal information STS holds, and explains how to submit requests for access to these records in terms of the Promotion of Access to Information Act 2 of 2000 (“PAIA Act”).

It also explains how to ask for access, or object to, personal information held by STS, or ask STS to correct any personal information that we hold in terms of paragraphs 23 and 24 of the Protection of Personal Information Act 4 of 2013 (“POPI Act”).

The PAIA and POPI Acts give effect to everyone’s constitutional right of access to information held by private sector or public bodies, if the record or personal information is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

Requests must be made as set out in part 6 of this Manual.

If you are accessing this Manual on our website, you can also get a copy from our Information Officer by writing to the address in section 2 or emailing legal@sithabile.co.za.

You can obtain more information about PAIA and the requirement to have a Manual by reviewing the Guide in terms of section 10 of PAIA which has been compiled by the South African Human Rights Commission (“SAHRC”), which will contain information for the purposes of exercising your constitutional Rights.

The contact details of the SAHRC are:

Postal address:
Private Bag 2700
Houghton
2041
Tel: 011 877 3600

2. STS INFORMATION

Physical address:
Sithabile Technology Services Pty Ltd
8 Cambridge Commercial Park
Witkoppen Road (entrance off Regent Street)
Paulshof
Sandton
Gauteng

Postal address:
Private Bag X2
Kyalami
1684

Tel:
+27 (0)11 848 7400

Email:
legal@sithabile.co.za

Information Officer:
The Chief Executive Officer, Mr Peter Blaauw

Deputy Information Officer:
The Chief Operations Officer, Mr Wade Calenborne

3. APPLICABLE LEGISLATION

A number of national laws apply to STS including the Companies Act, 2008; the Employment Equity Act, 1998; the Labour Relations Act, 1995; the Basic Conditions of Employment Act, 1997; PAIA and POPIA.

STS may be required to collect, process and store information in terms of these and other laws. Some of this information will be “personal information” as this is defined in POPIA. STS will only process personal information as required by POPIA. We also call the information that we keep “records”.

STS has a POPIA policy which can be accessed on request. If personal information is going to be processed by STS, we will do so lawfully and in a reasonable manner that does not infringe on the privacy of the data subject. STS has appointed an Information Officer and a Deputy Information Officer who are employees within the organisation, to encourage and ensure compliance, accountability and responsibility in terms of relevant legislation.

4. SCHEDULE OF RECORDS

STS holds information or records that may be accessed according to their classification. The classification is the following:

	Type of access	Classification in PAIA by section number in the Act
1	May be disclosed	Public access document
2	May not be disclosed	Request after criminal proceedings begin (section 7)
3	May be disclosed	Subject to copyright
4	Limited disclosure	Personal Information of natural persons that belongs to the requester of that information, or personal information of juristic persons represented by the requestor of that information (section 61)
5	May not be disclosed	Unreasonable disclosure of personal information or of Natural person (section 63(1) or Juristic Person (POPIA))
6	May not be disclosed	Likely to harm the commercial or financial interests of third party (section 64(a)(b))
7	May not be disclosed	Likely to harm the Company or third party in contract or other negotiations (section 64(c))

8	May not be disclosed	Would breach a duty of confidence owed to a third party in terms of an Agreement (section 65)
9	May not be disclosed	Likely to compromise the safety of individuals or protection of property (section 66)
10	May not be disclosed	Legally privileged document (section 67)
11	Must be disclosed	Environmental testing / investigation which reveals public safety / environmental risks (section 64(2); section 68(2))
12	May not be disclosed	Commercial information of a private body (section 68)
13	May not be disclosed	Likely to prejudice research and development information of the Company or a third party (section 69)
14	Must be disclosed	Disclosure in the public interest (section 70)

The records held by STS are set out in categories in column 1 of the table below, with a relevant classification in column 3 (refer to the table above for the meaning of the classification):

Departmental records	Subject	Classification
Communications/public affairs	Current product information	1, 4
	Public corporate records	1
	Launches/event records	4, 5
HR	Health and safety records (employees and contractors, including access and password records)	4, 5, 9
	Employee records (attendance, disciplinary records)	4, 5, 9
	Employment contracts	4, 5
	Policies and procedures/guidelines	12
	Employee medical records	4, 5, 8
	Employee disability insurance	4, 5
	Pension and provident fund records	4, 5
	Payroll records	4, 5
	Recruitment records and information	4, 5
	BEE records	
Finance	Audited financial statements	12
	Tax records (company and employees)	4, 12
	Asset register	12
	Supplier records	4, 5
	Management accounts	12
	Stock records	12
Legal and compliance	Contract documentation (suppliers, dealers, partners, IT support, telecommunications providers, storage partners e.g. Teraco, etc)	6, 12

	Intellectual property records	3
	Bid templates and bid documents	12
	Statutory records including CIPC	12
	Distributor and supplier agreements	6, 12
	Lease	6, 12
	Software licences	6, 8, 12
Sales and marketing	Product brochures	1
	Operating manuals	1
	Performance targets and records	12
	Product sales records	7, 12
	Marketing materials	3
	Future product and business strategies	12
	Customer information and database	4, 5, 12
	After sales records	4, 5
IT	Engineering records	12, 13
	Customer interaction records	4, 5
	Warranty claims records	4, 5
	Testing and development records	4, 5
	Vendor records including correspondence	4, 8, 12
Other	Complaints and disputes	4, 5, 8, 10
	Warehouse records	12

5. FORM OF REQUEST

So that we can address your request, please do the following:

- i. Use the prescribed form for section 51 requests (see www.sahrc.org.za);
- ii. Address your request to the Information Officer of STS (see part 2 above);
- iii. Provide us with sufficient details to identify:
 - (a) the record you want;
 - (b) who you are (if you are an agent, please provide proof);
 - (c) the form of access to the record that you want i.e. flash drive, email, hard copy;
 - (d) your contact details;
 - (e) the right that you are seeking to exercise or protect and an explanation of why you need the record to do that.

6. PRESCRIBED FEES

You will have to pay the prescribed fee before we process your request. It is currently R50.00.

In case the SAHRC has changed the prescribed fee, you can ask us what it is or contact the SAHRC directly.

However, if the record you ask for takes more than 1 hour to prepare, you will also have to pay an additional fee of R100.00 per hour.

You always have a right to approach a court for access.